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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$14,000.00 IN
15 U.S. CURRENCY,

16 Defendant.

VERIFIED COMPLAINT FOR
FORFEITURE *IN REM*

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18 The United States of America, by and through its undersigned attorney, brings this complaint and
19 alleges as follows in accordance with Supplemental Rule G(2) of the Supplemental Rules for Admiralty
20 or Maritime Claims and Asset Forfeiture Actions:

21 **NATURE OF ACTION**

22 1. This is a civil action *in rem* to forfeit to the United States Approximately \$14,000.00 in
23 U.S. Currency (hereafter “defendant currency”) involved in violations of federal drug laws.

24 2. The defendant currency was seized from Pedro Lopez, Jr. (“Lopez”) on July 24, 2023,
25 during the execution of a search warrant at 235 North Cottage Street, in Porterville, California. The
26 defendant currency is in the custody of the U.S. Marshals Service, Eastern District of California.

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JURISDICTION AND VENUE

3. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 21 U.S.C. § 881.

4. This district is a proper venue pursuant to 28 U.S.C. § 1355 because the acts giving rise to this *in rem* forfeiture action occurred in this district, and pursuant to 28 U.S.C. § 1395(a) because the defendant currency was seized in this district.

FACTUAL ALLEGATIONS

5. On July 24, 2023, law enforcement learned that Lopez was returning to Porterville from Los Angeles in a 2010 Toyota Camry and suspected of having picked up narcotics. The Toyota Camry was registered to Lopez with a listed address of North Cottage Street, Porterville. Law enforcement observed Lopez driving the Camry in the vicinity of the Grapevine and continued following Lopez and the Camry to the Porterville area. Law enforcement conducted a traffic stop of Lopez's vehicle on Highway 65 and Avenue 12 in Richgrove, California. During the stop, a narcotic detection canine alerted to the presence of the odor of narcotics on the front exterior of the driver's side door of Lopez's vehicle. Law enforcement searched Lopez's vehicle and found seven individually wrapped packages containing a total of approximately 16 pounds of methamphetamine.

6. On July 24, 2023, following the traffic stop of Lopez and the Toyota Camry carrying 16 pounds of methamphetamine, law enforcement executed a search warrant at Lopez's residence on North Cottage Street in Porterville. In Lopez's bedroom, law enforcement found an assortment of illegal drugs and wares, including 15 pounds of methamphetamine, one kilogram of heroin, 42.4 grams of cocaine, 0.62 kilograms of fentanyl, plastic baggies, a digital scale, two firearms, indicia for Lopez, and approximately \$14,000.00 in cash – the defendant currency. The defendant currency was in one envelope. The defendant currency consisted of 140 \$100 bills.

7. Law enforcement researched wage and employment history for Lopez. According to the California Employment Development Department, Lopez has no reportable income for the first and second quarters of 2023.

8. Lopez has a significant criminal history spanning from 1994 to 2017. In 2006, Lopez was convicted of felony transportation of a controlled substance. In 2013, Lopez was convicted of felony possession of a controlled substance for sale.

9. On July 26, 2023, the Tulare County District Attorney's Office charged Lopez with violations of California Health & Safety Code §§ 11351 and 11352(a) – Possession for Sale of a Controlled Substance and Transportation/Sale of a Controlled Substance, among other related charges. The case of *People v. Pedro Lopez, Jr.*, Tulare County Superior Court Case No. PCF444014, is pending.

FIRST CLAIM FOR RELIEF
21 U.S.C. § 881(a)(6)

10. Paragraphs one to nine are incorporated by reference as though fully set forth herein.

11. The defendant currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) because it was money furnished and intended to be furnished in exchange for a controlled substance or listed chemical, constituted proceeds traceable to such an exchange, and was used and intended to be used to commit or facilitate a violation of 21 U.S.C. §§ 841 *et seq.*, an offense punishable by more than one year's imprisonment.

PRAYER FOR RELIEF

WHEREFORE, the United States prays that:

1. Process issue according to the procedures of this Court in cases of actions *in rem*;

2. Any person having an interest in said defendant currency be given notice to file a claim and to answer the complaint;

3. The Court enter a judgment of forfeiture of the defendant currency to the United States; and

4. The Court grant such other relief as may be proper.

Dated: January 31, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

VERIFICATION

I, Aaron Acosta, hereby verify and declare under penalty of perjury that I am a Special Agent with the Drug Enforcement Administration, that I have read the foregoing Verified Complaint for Forfeiture *In Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to the best of my knowledge and belief.

The sources of my knowledge and information and the grounds of my belief are official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent with the Drug Enforcement Administration.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: January 31, 2024

/s/ Aaron Acosta

AARON ACOSTA

Special Agent

Drug Enforcement Administration
(Signature retained by attorney)